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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8704

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.:
v.	COMPLAINT FOR VIOLATION OF
Adalberto DOMINGUEZ-Cordova Defendant.	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about August 7, 2008, within the Southern District of California, Adalberto DOMINGUEZ-Cordova did knowingly and intentionally import approximately 20.70 kilograms (45.54 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 8th DAY OF August, 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Adalberto DOMINGUEZ-Rodriguez

STATEMENT OF FACTS

This complaint is based upon the personal observations, investigation and information provided to U. S. Immigration and Customs Enforcement Special Agent Douglas Struckmeyer.

On August 7, 2008, Adalberto DOMINGUEZ-Rodriguez entered the United States at the Calexico, California, West Port of Entry. DOMINGUEZ was the driver and sole occupant of a 2002 Toyota 4-Runner registered in his name.

Customs and Border Protection Officer (CBPO) M. Huerta was assigned to Primary Inspection Lane #1. DOMINGUEZ, being the next person in that lane, was not pulling up to the inspection booth after the previous vehicle had pulled away. DOMINGUEZ was ignoring honks from a passenger bus behind him and remained in his location, until CBPO Huerta left his inspection booth and attracted DOMINGUEZ's attention.

Upon primary inspection, DOMINGUEZ gave a negative Customs declaration. He stated that he was entering the United States in order to purchase auto parts from the Toyota dealership in El Centro, California. CBPO Huerta conducted a cursory search of the vehicle and referred DOMINGUEZ and the vehicle to the secondary inspection area for further inspection.

CBPO I. Mercado encountered DOMINGUEZ in the vehicle secondary office. CBPO Mercado received a negative Customs declaration from DOMINGUEZ. Prior to this time, Canine Enforcement Officer (CEO) J. Jones had conducted a sweep of the vehicle with his Narcotic Detector Dog (NDD). CEO Jones' NDD alerted to the rear floor of the vehicle, indicating the presence of the odor of a controlled substance in that area.

Further inspection revealed a non-factory compartment in the rear floor of the vehicle. Concealed within the compartment were 18 packages. The combined weight of the packages was approximately 20.70 Kilograms (45.54 pounds). A sample taken from one of the packages field tested positive for cocaine.

Special Agents (SA) D. Struckmeyer and F. Casteneda interviewed DOMINGUEZ. SA Struckmeyer provided DOMINGUEZ with his Constitutional rights per Miranda, as witnessed by SA Casteneda. DOMINGUEZ orally waived his rights, agreeing to make a statement.

DOMINGUEZ stated that he was hired to smuggle the cocaine into the United States by a man known to him only as 'WHITE'. He said that he was going to be paid $3,000 to smuggle the cocaine. He said that he knew the vehicle contained cocaine because the organization only smuggles cocaine, and also because he was present when it was loaded into the vehicle.

DOMINGUEZ said that he was not sure where he was supposed take the cocaine. Somebody was going to call him and let him know where to go after he made it either through the Border Patrol Checkpoint in San Clemente, California or Temecula, California.